HIGH COURT OF CHHATTISGARH AT BILASPUR

Division Bench

Coram : Hon'ble Shri H. L. Dattu, C.J. and
Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Writ Petition No.2103 of 2001

Petitioner

Gitanjali Construction Throug partner S.R. Sahu, aged about 40 years S/o M.R. Sahu, R/o Ameri Road, Neh Nagar, Bilaspur, Chhattisgarh.

versus

Respondents

1. State of Chhattisgarh Throug Principal Secretary, Local Self Govt. Ch attisgarh, D.K. Bhawan, Raipur.
2. State of Chhattisgarh Throug Principal Secretary, Nagar Tatha Gra Nivesh, Department of Chhattisgarh G t. , D.K. Bhawan, Raipur.
3. Director, Nagar Tatha Gra Nivesh Department D.K. Bhawan Raipur, Chhattisgarh.
4. Bilaspur, Municipal Corporatio Bilaspur Through Commissioner Bhawa Bilaspur, Chhattisgarh.
5. Joint Director, Nagar Tatha G m Nivesh Department Bilaspur, Chhattisg h.
6. State of Madhya Pradesh Through Principal Secretary, Local elf Govt. Vallabh Bhawan, Bhopal, M.P.
7. The State of Madhya Prade Through Principal Secretary, Nagar T tha Gram Niwesh, Deptt. Vallabh Bhaw n, Bhopal, M.P.
8. Collector, Bilaspur, Chhattisga .

Petition under articles 226/227 of the constitution of India for issu nce of Writ of Mandamus, Certiorari and Prohibition or any other direction o rder in the same nature.

Writ Petition No.2537 of 2001

Petitioner

Gitanjali Construction through artner Smt. Jaishree Sahu, aged about 2 years, wife of Shri R.R. Sahu, resident of meri Road, Nehru Nagar, Bilaspur, Chhat garh.

versus

Respondents

1. State of Chhattisgarh thro h Principal Secretary, Local Self Govt. hhattisgarh, D.K. Bhawan, Raipur.
2. State of Chhattisgarh Thro gh Principal

Secretary, Nagar Tatha Gran Nivesh, Department of Chhattisgarh Gc . , D.K. Bhawan, Raipur.

3. Director, Nagar Tatha Gran Nivesh Departtment D.K. Bhawan, Raipur, Chhattisgarh.
4. Bilaspur, Municipal Corporation Bilaspur Through Commissioner, Bilaspur, Chhattisgarh.
5. Joint Director, Nagar Tatha Gra Nivesh Department Bilaspur, Chhattisga
6. State of M.P. Through Principal S cretary, Local Self Govt. Vallabh Bhawa Bhopal, M.P.
7. The State of M.P. Through Principal Secretary, Nagar Tatha Gran Nivesh, Deptt. Vallabh Bhawan, Bhopal, I P.
8. Collector, Bilaspur, Chhattisgarh.

Petition under articles 226/227 of the constitution of India for issuan e of Writ of Mandamus, and Prohibition or any other direction or order in e same nature.

Writ Petition No.2582 of 2001

Petitioner

Geetanjali Construction Throug partner S.R. Sahu, aged about 40 yea son of M.R. Sahu, resident of Ameri Ro l, Nehru Nagar, Bilaspur, Chhattisgarh.

versus

Respondents

1. State of Chhattisgarh Through Principal Secretary, Local Self Govt. Chl ttisgarh, D.K. Bhawan, Raipur
2. State of Chhattisgarh Through Principal Secretary, Nagar Tatha Gran Nivesh, Department of Chhattisgarh Gc . , D.K. Bhawan, Raipur.
3. Director, Nagar Tatha Gran Nivesh Departtment D.K. Bhawan, Raipur, Chhattisgarh.
4. Bilaspur, Municipal Corporation Through Commissioner, Bilaspur, Chhattis arh.
5. Joint Director, Nagar Tatha Gra Nivesh Department Bilaspur, Chhattisga
6. State of M.P. Through Principal ecretary, Local Self Govt. Vallabh Bhawa Bhopal, M.P.
7. The State of M.P. Through Principal Secretary, Nagar Tatha Gran Nivesh, Deptt. Vallabh Bhawan, Bhopal, I P.
8. Collector, Bilaspur, Chhattisgarh.

Petition under articles 226/227 of the constitution of India for issua e of Writ of Mandamus, and Prohibition or any other direction or order in he same nature.

Writ Petition No.2172 of 2001

Petitioner

Gitanjali Construction Throug partner P.R. Sahu, aged about 38 yea , son of M.R. Sahu, resident of Ameri R d, Nehru Nagar, Bilaspur, Chhattisgarh.

versus

Respondents

1. State of Chhattisgarh Through Principal Secretary, Local Self Govt. Ch attisgarh, D.K. Bhawan, Raipur
2. State of Chhattisgarh Through Principal Secretary, Nagar Tatha Gram livesh of Chhattisgarh Government, D.K Bhawan, Raipur.
3. Director, Nagar Tatha Grar Nivesh Departtment D.K. Bhawan, Raipur, Chhattisgarh
4. Bilaspur, Municipal Corporation Bilaspur through Commissioner, Bhawar Bilaspur, Chhattisgarh.
5. Joint Director, Nagar Tatha Gra n Nivesh Department Bilaspur, Chhattisga .
6. State of Madhya Prades Through Principal Secretary, Local S f Govt. Vallabh Bhawan, Bhopal, M.P.
7. State of Madhya Prades Through Principal Secretary, Nagar Ta a Gram Niwesh, Deptt. Vallabh Bhawa Bhopal, M.P.
8. Collector, Bilaspur, Chhattisgarh.

Petition under articles 226/227 of the constitution of India for issuar e of Writ of Mandamus, Certiorari and Prohibition or any other direction or o er in the same nature.

Writ Petition No.1282 of 2002

Petitioner

Geetanjali Construction Throug partner S.R. Sahu, aged about 40 yea , son of M.R. Sahu, resident of Ameri Rc d, Nehru Nagar, Bilaspur, Chhattisgarh.

versus

Respondents

1. State of Chhattisgarh Through Principal Secretary, Local Self Govt. Ch ttisgarh, D.K. Bhawan, Raipur
2. State of Chhattisgarh Through Principal Secretary, Nagar Tatha Gram ivesh of Chhattisgarh Government, D.K. Bhawan, Raipur.
3. Director, Nagar Tatha Gran Nivesh

Departtment D.K. Bhawan, Raipur, Chhattisgarh
4. Municipal Corporation, Bilaspur through Commissioner, Municipal Cor ration, Bilaspur, CG.
5. Joint Director, Nagar Tatha Gran Nivesh Department Bilaspur, Chhattisgarh
6. Collector, Bilaspur, Chhattisgarh.

Writ petition under articles 226/227 of the constitution of India for iss ince of Writ of Mandamus, Certiorari and Prohibition and or Quo-Warranto a d other writ or direction in the same nature.

Writ Petition No.17 of 2002

Petitioner

Geetanjali Construction Through partner S.R. Sahu, aged about 40 years son of M.R. Sahu, r/o Ameri Road, Nehr Nagar, Bilaspur, Chhattisgarh.

versus

Respondents

1. State of Chhattisgarh Through rincipal Secretary, Local Self Govt. Chh isgarh, D.K. Bhawan, Raipur
2. State of Chhattisgarh Through rincipal Secretary, Nagar Tatha Gram Nivesh Deptt. of Chhattisgarh Govt. D.K. nawan, Raipur.
3. Director, Nagar Tatha Gram Nives Deptt. D.K. Bhawan, Raipur, Chhattisgarh
4. Municipal Corporation, Bilaspur nrough Commissioner, Municipal Cor ration Bilaspur, Chhattisgarh.
5. Joint Director, Nagar Tatha Gran Nivesh Deptt. Bilaspur, Chhattisgarh.
6. State of Madhya Pradesh nrough Principal Secretary, Local Se Govt. Vallabh Bhawan, Bhopal, M.P.
7. State of Madhya Pradesh, nrough Principal Secretary, Nagar Tath Gram Nivesh, Vallabh Bhawan, Bhopal, P.
8. Collector, Bilaspur,Chhattisgarh.

Writ Petition under articles 226/227 of the constitution of India for iss ince of writ of mandamus, certiorari and prohibition or any other direction o rder in the same nature.

Writ Petition No.18 of 2002

Petitioner

Geetanjali Construction Through partner S.R. Sahu, aged about 40 years son of M.R. Sahu, r/o Ameri Road, Nehr Nagar, Bilaspur, Chhattisgarh.

versus

Respondents

1. State of Chhattisgarh Through Pı cipal Secretary, Local Self Govt. Chhatt jarh, D.K. Bhawan, Raipur
2. State of Chhattisgarh Through Pı cipal Secretary, Nagar Tatha Gram vesh Deptt. of Chhattisgarh Govt. D.K. Bl wan, Raipur.
3. Director, Nagar Tatha Gram Nivesh)eptt. D.K. Bhawan, Raipur, Chhattisgarh
4. Municipal Corporation, Bilaspur T: ough Commissioner, Municipal Corpc ation, Bilaspur, Chhattisgarh.
5. Joint Director, Nagar Tatha Gram ivesh Deptt. Bilaspur, Chhattisgarh.
6. State of Madhya Pradesh T ough Principal Secretary, Local Self Govt. Vallabh Bhawan, Bhopal, M.P.
7. State of Madhya Pradesh, T ough Principal Secretary, Nagar Tatha Gram Nivesh, Vallabh Bhawan, Bhopal, M .
8. Collector, Bilaspur,Chhattisgarh.

Writ petition under articles 226/227 of the constitution of India for issu ce of Writ of Mandamus, Certiorari and Prohibition or any other direction or (der in the same nature.

Present :
Shri K. L. Pandey, Counsel for the petitioner.
Shri Prashant Mishra, learned Addl. Advocate General with Shri Ashutc ı Singh Kachhwaha, Govt. Advocate for the State

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ORAL ORDER

(Passed on 30th April, 2007)

The following oral order of the Court was pass l by **H.L.Dattu, C.J.**

Since a common question of fact and law is involved in the a esaid writ petitions, they are clubbed together, heard and disposed of y this common order.

2. In these writ petitions, a private entrepreneur is calling in que on the *vires* of Chhattisgarh Nagar Palika (Registration of Colonizer, Ter s and Conditions) Rules, 1998.

3. This Court, while entertaining these writ petitions, had not granted any interim order in favour of the petitioner.

4. During the pendency of these writ petitions, the respondents had amended the aforesaid Rules of 1998 and now they have come out with fresh rules called as Chhattisgarh Nagar Palika (Registration of Colonizer, Terms and Conditions) (Amendment) Rules, 2004.

5. In view of the above, in our opinion, as on today, the relief sought for by the petitioner in these writ petitions would not survive for our consideration and decision. Accordingly, these petitions are disposed of as having become unnecessary. However, liberty is reserved to the petitioner, if it so desires, to question the validity or otherwise of the amended Rules of 2004. Ordered accordingly.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge